

Meeting Minutes: Construction Codes Advisory Council

Date: September 23, 2021

Time: 9:30 a.m.

Location: WebEx Event

Members:

1. Scott Anderson (Alt – Guth)
2. Lori Bauer
3. Mark Brunner
4. Alfreda Daniels (Alt – Hendricks)
5. Barry Greive
6. Mike Herman
7. Ken Hinz
8. Laura McCarthy
9. Dan McConnell
10. Scott McLellan
11. David Morlock
12. Mike Paradise
13. Mara Peterson
14. William Pim
15. Michael Pivec (Alt – Marie-Alves)
16. John Smith
17. Reed Sprung
18. Stephen Ubl
19. Mark Worms

Members Absent

Duane Hendricks (alternate attended)
Gerhard Guth (alternate attended)
Tom Jenson
Shelonda Marie-Alves (alternate attended)

Staff & Visitors

Roslyn Robertson – DLI Commissioner
Kate Perushek – DLI Asst. Commissioner
Jeff Lebowski – DLI
Brittany Wysokinski – DLI
Lyndy Logan – DLI

Staff & Visitors

Todd Green – DLI
Dean Hunter – DLI
Dan Kelsey – DLI
Marty Kumm – DLI
Rich Lockrem – DLI
Scott McKown – DLI
Eileen McNiff – DLI
Greg Metz – DLI
Chad Payment – DLI
Steve Shold – DLI
Amanda Spuckler – DLI
Suzanne Todnem – DLI
John Williamson – DLI
Jessica Archer – Target
Mary Barnett – UrbanWorks Arch
Lisa Bode – City of Moorhead
Jonathan Boesche – MN Senate
Don Dabbert, Jr. – Dabbert Homes
Representative Ecklund
Senator Eken
Brian Elliott – SEIU MN State Council
Nick Erickson – Housing First MN
Irene Kao – League of MN Cities
Representative Keeler
Senator Koran
Russ Landry – CEE – MN Chapter of ASHRAE
Jeffrey Mang – Mang Consulting
Mark Puppe – Home Builders Assn. of Fargo
Ben Rabe – Fresh Energy
Gary Thaden – NECA/MMCA/SMACNA
Nicole Westfall – MEEA
Kevin Toskey – League of MN Cities

1. Call to order

- A. Roll call by Scott McKown – a quorum was established with 19 members or alternates present via WebEx and a quorum was maintained throughout the meeting.
- B. Announcements – Introductions
 - **New Statutory Language/Seats**
 - one member, appointed by the commissioner, with expertise in and engaged in each of the following occupations or industries (xvii) the energy conservation industry; and (xviii) building accessibility.
 - **Welcome & introduction of new members:**
 - Energy Conservation Industry – John Smith, Michaud Cooley
 - Building Accessibility – Mara Peterson, JQP, Inc.
 - Public Utility Supplier – William Pim, Xcel Energy (Michael Warren retired)
 - **Remote meeting statement:** Thank you for joining this remote meeting via WebEx. As the council chair, I have determined today’s meeting is via the WebEx platform due to the COVID-19 pandemic. Per Minnesota Statutes, section 13D.021, of the Open Meeting Law, electronic meetings are acceptable when an in-person meeting is “not practical or prudent because of a health pandemic or an emergency declared under Chapter 12.”
 - Everyone present on this WebEx are able to hear all discussions.
 - All handouts discussed and WebEx instructions are posted on the Council’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/construction-codes-advisory-council>
 - All votes will be taken by roll call.
 - WebEx instructions were read aloud.

2. Approval of meeting agenda

A motion was made by Brunner, second by Greive, to approve the agenda as presented. The roll call vote was unanimous with 19 votes in favor; the motion carried.

3. Approval of previous minutes

A motion was made by Herman, seconded by Paradise, to approve the May 27, 2021, meeting minutes as presented. The roll call vote was unanimous with 19 votes in favor; the motion carried.

4. Regular Business

- A. Expense approval – per diem. McLellan approved per diems – Lyndy will submit.

5. New Business (see [presentation](#) for items A through H)

- A. U.S. DOE energy code requirements for states – Scott McLellan, Suzanne Todnem
- B. Rulemaking for new commercial energy code – Scott McLellan

A motion was made by Greive, seconded by Smith, to proceed with rulemaking on the new Commercial Energy Code. The roll call vote was unanimous with 19 votes in favor; the motion carried.
- C. Process for residential energy code review (2021 IECC) – Scott McLellan

- D. Legislation review and comment process – Scott McLellan
- E. TAG report on review of floodproofing code – Greg Metz
- F. TAG report on review of frost depth for Clay county ([SF 1114/](#)[HF 1402](#)) – Dan Kelsey

A motion was made by Pim, seconded by Morlock, to proceed with recommendations from the Technical Advisory Group members for Clay County Frost Depth. The roll call vote was unanimous with 19 votes in favor; the motion carried.

- G. Formation of two new TAGs – Scott McLellan
 - a. Window washing anchorage ([SF 62/](#)[HF 165](#))
 - b. Building Code
 - i. Residential building permit fees ([SF 801/](#)[HF 1085](#) as amended)
 - ii. Adult changing tables ([SF 2536/](#)[HF 2135](#))
 - iii. Raising exemption on municipal report; codes adopted by law; ROI on residential energy code ([SF 910](#)); permit requirements (Representative Elkins’ Housing Affordability proposal [2SS-CG001-3](#))

- H. Approval of TAGs & members

- a. Window Washing Anchors

A motion was made by Paradise, seconded by Greive, to approve two new Technical Advisory Groups and the members proposed. Paradise then revised his motion to include adding John Smith to the Building Code Series 1 TAG and adding Ken Hinz to both TAGs. The roll call vote was unanimous with 18 votes in favor and one abstention (McCarthy); the motion carried.

- b. Building Code

6. **Open Forum**

None

7. **Council member discussion**

At the suggestion of Paradise, McLellan said he will prioritize CCAC members when seeking participation on future TAG’s by first asking if they are interested in serving.

8. **Announcements**

Meetings will occur as needed but a minimum of four times a year with one scheduled in the second week of January and one in the second week of February. Meeting dates will be sent to bill authors in advance.

9. **Adjournment**

A motion was made by Greive, seconded by McCarthy, to adjourn the meeting at 11:48 a.m. The roll call vote was unanimous with 19 votes in favor; the motion carried.

Respectfully Submitted,

Lyndy Logan

Executive Secretary to the CCAC